

# Kentucky Gazette.

TWO DOLLARS AND A HALF PER ANNUM.  
New Series—No. 14.—Vol. 2.

Time to his charge—he comes, the Herald of a noisy world: News from all nations, hush'ring at his back.

LEXINGTON, KY. FRIDAY EVENING, NOVEMBER 4, 1850.

SPECIAL IN ADVANCE.  
[Vol. XXXIX]

## Miscellaneous.

### FROM THE LONG BOX.

On the 10th inst I was at a dinner given by Mr. Dalrymple, at his own house. It was Mr. Dalrymple's birthday, and on which he had arrived at the 70th year of his age. The invitation had been general to all his neighbors and acquaintances; and from the great respect in which he was held by all who knew him, the course was very great indeed. It was but a short time before dinner when I reached Mr. Dalrymple's; from which time until dinner was announced no kind of refreshment whatever was offered to the company.

About 4 o'clock Mr. Dalrymple informed the company that dinner was ready, and invited them to follow him. He conducted us into a very large shed, with rough walls lathed and filled with mortar, an earthen floor but ceiling above. In this shed the dinner table was set.

The dinner consisted of Bacon, greens & hominy principally, with coarse hoe cake and Johnny cake & meal, made of corn meal. The bacon and greens were served up in large turned wooden dishes or platters and the plates were of the same kind of manufacture. At short intervals on the table, stood wooden cans with water in them. The knives and forks were of the coarsest kind. The table was of oak wood, clean scoured—but there was no table cloth. The seats were benches & three-legged stools—no servant attended the table, nor was it necessary; for every thing intended to be used at dinner was on it.

Mr. Dalrymple invited his guest to sit down, and when they were seated he asked a blessing, and then pressed them to help themselves, to such as was before them; and by way of example to the rest he helped himself.

The company stared at each other and then at Mr. Dalrymple, and secretly cursed him and his dinner in their hearts; but from the great respect they had for him, said nothing, but helped themselves to some small part of the dinner.

As soon as the guests began to eat which they did merely out of respect, Mr. Dalrymple gave a signal by blowing a small gourd, when in rushed half a dozen servants, cleaned dressed in coarse homespun cloth, who laid hold of the table and all that was on it, and instantly ran it out of the shed, and returned with a neat, plain walnut table, with a clean but coarse linen cloth, and an excellent dinner in pewter dishes, all bright & clean; the dinner consisted of excellent ham, roast beef, lamb, shad and fowls with vegetables of the best kind, and well cooked; bright pewter plates with good buckhorn knives and forks now supplied the place of the wooden ones; and instead of wooden cans, were placed on the table at proper intervals small stone pitchers, filled with excellent persimmon beer or cider, within the reach of each seat. The stools and benches were also removed, and their places supplied with plain flag-bottomed chairs.

This transmutation of the table and its furniture, not only surprised the chagrined visible in the countenance of the guests; but excited their appetites, so that they dined plentifully, as there was a great variety of choice meats and vegetables on the table.

When Mr. Dalrymple discovered that the company had dined, he gave another signal with his gourd and immediately two dozen French waiters rushed into the room, dressed in liveries, clean shaved and profusely powdered. Out went the walnut table with its contents and the whole furniture of the room. The floor was instantly covered with a rich Turkey carpet, and the walls with fine silk tapestry and an elegant Mahogany table and side board brought in. The table was covered with three of the finest dinner cloths, and a most splendid desert, composed of the most fashionable pastry of every description, sweet meats and fruits of the most choice kinds, served up in fish-like plates, the finest China, and superb cut crystal glass vessels; whilst the side-board groined under a profusion of choice wines, cordials strong waters, &c. &c. so that nothing was wanting to tempt the palate or excite the appetite of the greatest epicure.

Measure now beamed in every countenance, whilst the sparkling glass was emptied to the health of Mr. Dalrymple; and as the company appeared disposed to enjoy themselves, Mr. Dalrymple prepared to withdraw, and leave them free from that restraint which is natural in the presence of an old and respectable man; but before he retired he addressed them in substance as follows:

My worthy friends this is my birthday, on which I number three score and ten years which seems to have been considered by the psalmist as the limit of human life. I cannot express the pleasure I feel at seeing so large a collection of my respectable friends and acquaintances on the occasion; and before I leave you I consider it a duty I owe to you as well as to myself to explain my conduct in the arrangement of this day's entertainment; and especially that I may avoid the charge of being under the capricious influence of old age. It has been the practice of many people at all times ever since the period of my earliest recollection, to complain of hard times in a scarcity of money; and as I never had experienced either myself, I conceived the project of conveying my friends together on this day and to demonstrate to them by familiar example the reason.

At the age of twenty two years I married an industrious young woman, and went to house keeping. As we were both poor we were unable to procure better furniture than was this day exhibited in the first course (for you must know that) a wretched old principle with me from the beginning never to owe a single penny, to which principle I have scrupulously adhered during my whole life. By industry and frugality we were in a few years enabled to adopt that

style of living exhibited in the second course, and which we have not changed to the present time. For I never suffered the example of others to induce my mode of living, especially when it tended to affect my pecuniary concerns. In this manner have I spent nearly half a century, happily with my family and friends, raised and educated seven children, and furnished them with means to begin the world, and am now in possession of a competency, to support me during the remainder of my life, it managed with the same prudence that has been observed in acquiring it. As I made it also a rule, always to spend less than my annual income, every New Year found me in the possession of a surplus, I consequently never have myself experienced either hard times or a scarcity of money.

Many of my contemporaries who inherited large real estate, began the world by adopting the style of living now before you; ambitious to excel each other, they suffered themselves to be influenced by example, mingled in the most extravagant furniture, dress, equipage &c. and trusting the management of their estates to stewards as profligate as themselves, their expenditures greatly exceeded their income, and their estates soon melted away like snow in a summer's day. It is such as these and all who have followed their example, that have, and always will experience hard times and want of money, while those who adopt first the oak table and its furniture, with the determination never to owe any man; and who makes it a point every year to spend less than his income, may soon adopt that style represented in the second course of this day's entertainment, which with industry and economy he may continue through life. But he who adopts the stile now before you, let his wealth be what it may, will most assuredly be cursed with hard times and the want of money, and become degraded far below the standard of the oak table.

ADIEU.

The old gentleman retired under shouts of applause from all present for his ingenuity in giving such wholesome advice in so impressive a manner.

Patuxent, July 27, 1857.

## POLITICAL.

To the Editor of the Kentucky Gazette.

DEAR SIR—Mr. Nelson Nicholas, Editor of the Kentucky Whig, having come out as large as life in a professional legal argument against the Decision of JUDGE BROWN, granting a new trial in the case of Isaac B. Desha; and in a vindictive strain of decent billingsgate against the Judge, and most others in authority; and he being the first, and only individual, who has favored the public with an investigation of the Decision upon legal principles, may rest assured that his remarks will receive particular attention. Judge Brown and his friends are only solicitous for a fair examination of his opinion and conduct, but this they are not left ground to hope for, from the specimen already afforded. Just listen to the inconsistency of the editor, in his three first numbers. In No. 1, speaking of Judge Brown, he says: "Entertaining for him the highest personal regard," &c. Thus, the editor entertains, as he says, the highest personal regard for the Judge. If he understood himself, I should infer that he had a personal acquaintance with the Judge; and having such acquaintance he, in common with others having such opportunity, entertained for him such sentiments; founded, I presume, upon the supposed purity of the Judge's principles, and the correctness of his deportment. Now, one standing in this relation, it were to be expected, would slowly and reluctantly give up their good opinion of an individual; would take the time necessary to ascertain facts; would state them fairly; and then reason as favorably as they would and could, against him. Yet, are you prepared to believe it? In No. 2, this paragraph of taste and sentiment thus speaks of the Judge, for whom, but a few days, nay, hours, before, he had the highest personal regard: "In our next paper we shall demonstrate to the world, that this gentleman is unworthy of his station!" Insinuates that the Governor used undue means to influence the Judge; and that his decision was not the honest result of his judgments; and in No. 3, he proceeds to indict him, as I shall presently show, in misstatements of fact, misquotations; of law, in light sophistical reasoning, and in low suspicion and abuse; which, knowing Judge Brown as the editor did, was false and wicked.

From respect to the public, to whom information is designed and for whose good opinion Judge Brown and his friends feel the greatest solicitude, I will leave unnoticed many epithets and remarks of this new editor, with whom Judge Brown seems to have been a favorite, and hostile to his examination of the decision. He says: "Judge Brown has granted Desha a new trial after his second conviction, upon the same ground, that it was not proved the offence was committed in Fleming." This is false; the ground was not assumed, but real. There was no evidence in the case, proving the county in which the offence was committed; and upon the argument for a new trial, this fact was distinctly conceded by the Attorney for the Commonwealth. But the editor argues, as evidence that the offence was committed in Fleming, the finding of the indictment by the grand jury, and the verdicts of two petty juries. Who ever heard before, that the finding of a grand jury was a part of the evidence, on a trial before a petty jury? or that the verdict of a jury on a former trial, when a new trial had been granted, was to be considered as evidence upon the second trial? or, when the question was the conformity or repugnance of a verdict to the evidence, that the verdict, the very thing to be tested, was itself to be received, as evidence of its own correctness?

Mr. Nicholas says, "to grant or refuse a new trial, in matter of discretion with the Judge, in criminal, as well as in civil cases; but that no Judge who understands his duty, will ever grant a new trial, in any case, except where he believes that justice has been violated by the verdict of the jury." These principles are loosely stated, and require much qualification to make them correct and practical. As it regards the first, the discretion which a Judge has over new trials, is a legal, and not an arbitrary discretion. It is not to be exercised capriciously; but according to settled rules. The second may stand with this explanation; that justice in a prisoner requires that the law should be administered; and that a violation of law, would be a violation of justice. But if the editor means, that

where a Judge may believe that abstract justice has been done by the verdict of a jury, in finding a prisoner guilty, that regarding his impressions, he may turn a deaf ear upon the accused, though the jury may have misconducted the trial, and violated the law in their finding, then, I say that he palpably misconceives the law. So regarded it is law of life, that Blackstone, and all other sound writers, lay it down that if a jury find the prisoner not guilty, he is forever acquitted, and a new trial may be granted upon re-arguing; and a long the grounds laid down are, where the verdict is without evidence; or contrary to evidence. In the case of Desha, the new trial was granted because the verdict was without evidence, as an essential charge in the indictment. A very persuasive argument that this evidence was essential, results from the fact, that the place where the murder was supposed to have been perpetrated, being far from the one and three counties, he necessarily existed as to the county in which it was perpetrated, which the county surveyor of Mason was procured to run the line, and was present at the first trial, and as I have been credibly informed, the second too; but, by a fatal omission, was neglected to be interrogated on that subject. When the lawyers for the Commonwealth, and there were no less than three, had thought it necessary, it is not remarkable that the Judge, who tried the case, should have thought it so. Mr. Nicholas then proceeds to remark, that it was immaterial where the murder was committed, for it is Fleming, he deserved death; if in Mason, he deserved death. Were a man charged with stealing a horse, and there should be a want of evidence as to stealing a horse, but sufficient evidence that he stole a cow, and a jury should be so inconsiderate as to find him guilty, upon a motion for a new trial on the ground of a want of evidence, I presume the learned editor, were he an honorable judge in such a case, would overrule the motion, and gravely assign as a reason, that to steal a horse is a crime, and deserves confinement in the penitentiary; to steal a cow is a crime, and deserves confinement in the penitentiary; therefore, as to this indictment, a horse and a cow being the same thing, the motion is overruled. It reminds me of the liberal construction of a search warrant, by a sage Justice of Quorinus, almost as learned in criminal jurisprudence as the editor, who, upon an application for a search warrant to search for a drawing-knife, turned to his forms, and, not finding one for a drawing knife, but for a turkey, immediately drew the warrant authorize a search for a turkey, and told the gaping constable to take that precept, and if in searching for the turkey, he found the drawing-knife, to take it; that, if he found a turkey the owner ought to have it, and to take it; that form was nothing, and he could restore the property to the owner.

This circumspet editor, having a high personal regard for Judge Brown, has once or twice in his labored production, stated the ground upon which the Judge decided, fairly to wit, "that it was not proved the offence was committed in Fleming," but seeming to recollect that he had made the gasconade promise, in his 2d No. to prove that the Judge was unworthy of his station; and feeling that it was not yet redeemed; and that he could not deduce such an inference, if he adhered to the truth, towards the close he ventures out, not to tell Mr. Baker! No! I make no such charge; but, by falsehood and deliberate sophistry, to perpetrate a deed, scarcely less foul; to raise a popular excitement against the Judge, that might prove ruinous to his prospects and character. He states that at the body of the murdered Baker was found in Fleming; he also equires, what were the grounds of Desha's petition to the Court for a new trial, and answers himself thus: "That he was innocent, but that the Commonwealth had failed to prove by any witness, that the murder was perpetrated in the county, in which the murdered man was found." This is untrue. It was not the fact in evidence, nor was it the ground upon which the new trial was asked. There was no evidence to prove the county in which the body was found, and no distinction, such as that stated by the editor, was contained in the grounds assigned for a new trial, or in the arguments of counsel, in support of them. The editor says, no matter where the offence was committed, he had deliberately selected the county in which he preferred to be tried, and that the special act of the Legislature was the only mode under which Judge Brown could act. "This is true; but can be unmeaning, that the only object sought in the change of venue, was a more impartial county; that no proof is thereby rendered unnecessary, and that the very same act requires, that the Court should hear and determine the case of Desha, under the same rules and regulations, as are prescribed by law for the trial of like offences;" and that, on the trial of all other indictments, the allegation of place, has been ever deemed essential to reaching out the proof!

Mr. Nicholas thinks that hired advocates, whom he chooses to denounce knaves, might once and grounds. Does he mean that it is disgraceful to be a hired advocate? Or did he mean say that but to give vent to his vituperation, and thereby gratify his morbid, gaudy, and tasteless? About a quarter of a century ago, I have been informed, that one had his paragon scold, one, an uneducated, and a common lawless, and ever with, upon the bright page of history! But no more, the contrast, and a conclusion would render the picture too painful to behold. But now I recollect, that one of our stars, with the black ball, was himself a petty judge, however, and, I presume, not having merit enough to be large to appear at the bar, has occasionally volunteered no doubt, to the injury and dissatisfaction of the party whom he intended to serve; and, like the dog in the manger, as he could not get fees himself, he beholds, with envy, those who succeed better; and, therefore, makes low insinuations, and applies edifying epithets, to counsel who have merit enough to be employed, in defence of human life.

Mr. Nicholas, whom some, besides the profession, have called "lawyer Nicholas," in his 2d paper on this subject, has not stated a single fact, or used an argument conducing to show the incorrectness of Judge Brown's decision; but he has thought this omission required an apology. He was reproached by indisposition; occasioned, I suppose by the violent, abusive effort, made to prove it in his first. "These cases, according to the opinion of the most skillful accusers, are always attended with the most danger and pain to the patient. He says (for the want of something more appropriate) that Judge Brown was one of the famous (in *Ulysses*, mean *Judges*) Legislature, which passed the law, and was friendly to its passage. This is true. He then exclaims, "when these facts are remembered, we cannot but feel, and express our astonishment that this gentleman should now dare to assert, in his judicial capacity, that this law is a dead letter, and of no effect."

When the question decided by the Judge was, "that upon the trial, proof was necessary that the offence was committed in Fleming, as charged in the indictment," how could any bar or ratio patting the venue, a dead letter, and of no effect. No, not. These charges, reflections, insinuations, and denunciations, are all designed to arouse and mislead public sentiment, and should the *Kentucky Gazette*, Mr. Nicholas, be nominated to the Senate to produce his rejection before that body. He has more than once administered that august tribunal, to a discharge of their duty, he administering to his swollen passions. He has forgotten that the Senate, with whom, in this breath, he seems desirous to have influence, are composed, with few exceptions, of the same members, who constituted the famous Legislature, of which he had, a few sentences before spoken.

The failure of his 2d paper, in which we were authorized to expect a legal argument, has been devoted to the abuse of most persons in authority, occupying high and low stations, all other belonging to lay or clergy and none more largely and cruelly than the Chief Magistrate of the State—There has been the greatest injustice, and most refined cruelty, in dragging the Governor before the public, and in heaping the abuse upon him, which this, and kindred papers, have done. The exalted station which Gen. Desha filled, especially during the session of the Legislature, when this affair transpired, rendered him more exposed to public gaze than conspired with the afflicted feelings of a father, but duty needed, and he, obeying his call, remained at his post during the session; not so with an afflicted mother, who sunk under the severe visitation, and was banished from the circle, of which she was an esteemed ornament.

Every sound head and feeling heart, would be touched by the subject with as much reserve as possible; and especially when speaking of the countenance between the accused and Chief Magistrate; but, on the contrary, because the Chief Magistrate did not while and snivel away from the seat, to which his countenance, with acclamation, had just elected him and gratify party ambition and animosity, by abandoning his office, the blood-curdery has been raised, and a vendetta has triumphed in their efforts. The Governor throughout has done no more than an affectionate parent, an honorable man, and the Chief Magistrate of the Commonwealth, overwhelmed by such a misfortune, should have done. He has believed that a deep and long laid scheme existed for the sacrifice of his son; he has not sought to place him above the law, and has been equally determined, that he should not be sunk below it; he has been resolved that he should have, if his exertion could obtain it, that to which every citizen is entitled by the Constitution, an impartial trial; and therefore was mistaken by legitimate means, in obtaining a change of venue from Fleming; in which county, by extraordinary exertions, public feeling became so much disturbed as to burst forth in a public meeting; and by many publications before and since the change of venue, has proved to demonstration, that an impartial jury could not be obtained there. That father must have been a brute who would have quietly permitted his son to have been put upon his trial, at such fearful odds. The Governor was present in the committee room, when the bill for changing the venue of his son's trial, was under consideration; the propriety of which, was clearly in dispute; but it is untrue that he used any other than fair, legitimate, and public means, in regard to that measure. It is also true, that Mr. Wickliffe did take a right on seeing the Governor in the committee room, though it is untrue that he protested against having it in view to claim Mr. Wickliffe. During the trial of his son, the Governor has attended, and it has required but little discrimination to perceive, through his many labors, that his spirit was afflicted and bowed down, and his heart grieved; but he has had the fortitude and philosophy, to stand should characterize a Governor; he has not gratified the Henas that were ready to prey upon his misfortunes, had they broken his heart and overthrown his reason. I speak it from unquestionable authority, and in the face of the hundreds who have constantly attended the trials of Isaac B. Desha, that the Governor, and his officers, who were sometimes present held but little communication with their acquaintances, during this time; that they did not seek to extend their acquaintance; but acted with great reserve, moving no conversation upon this distressing subject; but avoiding it as much as possible; and that they mixed very little with the people; being among them only, in passing from their room to the court house, and back again; and whilst before the Court, showed no disposition to intermeddle, but remained silent, and mortified spectators of the solemn and affecting scene.

In his 2d paper on this subject, Mr. Nicholas, again overladen with an emotion of high personal regard for Judge Brown, has the kindness to say, "from his personal acquaintance with this Judge, that his errors have resulted from the head." Now I refer it to the intelligent friends of the editor, to say, how it is admitted in reports with the declarations of other parts of his production; where he states, that Judges seem to enforce the laws, have disgracefully added in obstructing their execution. He charges the judge with polluting the fountains of criminal justice, and tending the laws to subvert the purposes of those invested with power. With "disturbances between the rich and the poor," he denounces him a phantasmagoria, and charges him with being "regardless of his duty, and that the Senate should therefore reject him." He denounces him "as a juggler in the judicial arena," and that "he should be dismissed from office." He says he (the editor) "is called upon to expose those faithless functionaries who, to subserve their own purposes, have prostituted their principles and their dignity." He charges the Governor with "using the Judiciary as a humble tool." And yet this man of words, does not move the *Kentucky Gazette*, the *Kentucky Gazette*, but attributes his errors to his head. Mr. Nicholas should not take exception to heads; for there are very few who would willingly exchange with him, when they find him wanting capacity to preserve consistency, through a short essay. This young man has a good selection of words, a sickly fancy that finds its chief pleasure in such flashy productions as the *Children of the Abbey*, the *Errors of Education*, *Zemire*, &c. He has some light learning; but no settled, matured system of politics or ethics. Accident has arranged him in the ranks of contending parties; but being himself a secondary light, he reflects the feelings and views of the primary planets of his party, that have left beamed upon him; and should they cease alternately to shine upon and to warm him, he would suffer a total eclipse; and thus their new orb, would be lost in the darkness of chaos. The patrons of the Whig are advised to supply the establishment with a head, whilst they avail themselves of Mr. Nicholas' words.

his fancy, his ability, and subserviency, or ere long the fat will be on the fire, and the whole blown up and blown out.

This is a very political Janissary, hungry for his prey, and having soiled blood from the tainted gale, in his *political*, legal argument, endeavors to excite passions, by deliberate falsehood; and then, not in the language of reason, religion, humanity, or law, (for an discountenance vengeance,) but in the language of a fiend, exclaims, "the violated laws of God and man are still unavailing, and the blood of the unfortunate Baker still cries to Heaven for vengeance." He pronounces the Judge (his acquaintance, so highly respected by him) a chief juggler, a knave, or a fool; denounces him as eternally disgraced, and invokes the vengeance of the nation upon his head. What redemption, what rant, what fastidious! I fear much alarm to the women and children, should they read this *legal argument*; they may fear that this *unconquerable*, who so clearly invokes the *people and high Heaven*, might turn to the potentate of Pandemonium, (who much more respects his object) and raise to their afflicted view, ghosts, fiends and devils, and set them all, in full cry, after his much respected Judge.

These productions of the Whig, which may be considered his *debut*, and upon which he has exerted himself almost unto death, have received more attention than they merited; but being the only paper that has attempted an investigation of the subject, and not having done so with truth, with decency, or reason, the writer has, perhaps, occupied more of the public attention than he should have done. He thinks the specimens already afforded by the editor, are well calculated to realize the expectations of society, that laboring under the influence of difficulties, which it would be useless and impertinent to recite, he has been seduced to become the desperate and reckless tool of his party; and his columns being already, may be expected to continue, a receptacle of slander and defamation, against individuals, occupying public stations, with whom he has the misfortune to differ in political sentiments; and it may be expected, being himself, as respects talents, information and principles, a light shining thing, that he will proceed to violent and gross attacks, and that in him the *ventriloquist of the press* will be indulged and its freedom abused.

Judge Brown, I am told, is upon a tour, faithfully endeavoring to discharge the duties of a laboring District; where he will, likely, continue until his fate, as a Judge, may be settled; whilst this pharisaical traducer is laboring to defame him. All will acknowledge it to be right, that some acquaintance should ward off this blustering attack of which Judge Brown has little means of information, and of which, if informed, he would not have time, if he had disposition, to notice. The writer stands pledged before the public for the truth of his positions. He is a friend to the retaliating system; and should this knight, who seems disposed to tilt against decency, truth, and reason, feel any misgivings, he is but to cause his high priest to make another application of his searing iron to his conscience, and he will then be more chivalrous than to complain.

FAIR PLAY.

## KENTUCKY RELIEF SYSTEM.

The Legislature of Kentucky at their December session 1820, established the Bank of the Commonwealth, which issued three millions of paper dollars, to save the state from convulsion and a large portion of the people from ruin.

The state of Kentucky had about twelve years before abolished the tardy and ceremonious proceedings of the common law in the courts, and adopted more prompt modes of recovery of money. The Circuit courts held three sessions in each year; and every suit stands on the docket for trial at the first term after it is commenced, provided the writ has been served on the defendant ten days before the meeting of the court. Three months of reply or stay of execution upon security given by the defendant, was allowed. Real and personal estate sold under execution without valuation, for whatever should be the highest bid. Under this state of law, which had been enacted in times of commercial prosperity, it will be seen that money can be coerced by execution, whatever the amount of the demand, in four or five months from the commencement of suit, and under the jurisdiction of magistrates, it could be recovered in a shorter time. This promptitude and severity of the administration of the law, could not be borne in 1820, because violence would have been committed on the property of debtors, and that too in the sacred name of justice. Export markets had failed for two years. The whole American people had found the balance of trade against them. Kentucky, like Ohio, lay within the circles of the districts of public lands then in market, and equally remote from the expenditures of the national Treasury. The old Bank of Kentucky had been in operation for near twenty years, the days of prosperity had made that institution valuable to the community and more so to the stockholders. In the declining days of our markets, the Bank true to itself, having issued and lent Bills which had circulated into the hands of merchants, foreign collectors, the national land officers, and the United States Branch banks, had been cashed, and the borrowers left to pay the bank in specie; a sufficiency of which could not be obtained. The United States Branches in Kentucky held three millions of debts upon the people, and the Bank of Kentucky four and a half millions, besides the two foreign debts due eastern merchants, and Federal land officers. These and other debts between many private citizens, rendered the political enquiry by what mode the greatest sum of justice could be administered through the laws, one of no common interest. Three propositions were presented by politicians, and considered by the people and the legislature—1st. a property or valuation system—2d. a law to pay debts by instalments—3d. To issue a paper currency, upon the credit and resources of the state. Many who were opposed to the two first propositions, were friendly to the third. But a respectable minority of the whole people and their representatives, from various motives were opposed to them all. A majority however were agreed to the proposition for a Loan Office or Commonwealth Bank, which was established as above stated, and an act was passed giving two years' reprieve or stay of execution to debtors whose creditors relieved



The inducements, to give in this state, this brief account of the political contentions in the state of Kentucky, has arisen from being in this state two or three weeks, and from conversations with many respectable men here, find that their information upon these subjects, have been principally derived from the court party prints of Kentucky, and quotations from them in the Ohio papers. Neither party in Kentucky deny the obligations of both federal and state constitutions as paramount law, nor the right of the court, a legal duty or the people, to judge of its act, and to decide upon their meaning. The act of the last session, reorganizing the court of appeals, requires the

From the manner in which my decision is represented by this writer, I suppose it would be generally inferred, that I had actually refused to give Judgment upon a note, for the payment of a certain sum in specie, for no other reason, than because, the word SPECIE, was in the note. If I could be convinced that I ever gave such an absurd decision as this, for a reason so absurd, I think I would most cordially agree with the learned editor of the "Kentucky Whig," in the very humble estimation in which he professes to hold, my capacity, and qualifications as a Judge. For the very bad opinion which this gentleman seems to entertain of me, is fully and (*if I do not*) to feel "very sorry."

I shall first give the law under which I decided—then the decision itself, as I gave it—and conclude with some remarks, in vindication of its correctness.

1858.

The *fourth section of this act* prescribes the kind of *statement* which it is made the duty of *Judicials* rendering Judgments upon contracts of the des-  
cription mentioned in the *first section* to connect, upon the record with the *enrollment* of such Judgments. How can a Judge, with *trifling* certify, that a judgment "was rendered upon a written contract for the express payment of the amount thereof in gold or silver," when the words "*gold or silver*," are not, in fact, express, & on the face of the written contract upon which the Judgment was rendered!

But it has been contended, that the word "*or silver*," being a word having the same signification, of the words "*gold or silver*," meant to be considered as *equivalent to that*, for the purpose of bringing contracts within the scope and provisions, of this *golden* and *silver* law.

To this argument, it is a sufficient reply, that the

received by both houses, in the Representatives hall, and addressed by the Speakers of both Houses.

*To the Honorable, the Speakers of the Senate and House of Representatives.*

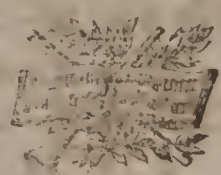
Two years ago, by the unsolicited suffrage of the Legislature I was preferred to the situation then occupied by me, of Senator in Congress. Pursuing the principle by which I had been governed, neither to seek after, nor refuse office, the appointment conferred was accepted. Aware of the practice which had long prevailed, of selecting from each end of the state, a person for the high and respectable situation of Senator, I felt regret at being brought forward to disturb a system which had so long been maintained; yet as much as the Legislature, without my knowledge or understanding on my part, had called me to the situation, it was impossible I

But if this change in the constitution should not be attained, and important appointments continue to devolve upon the Representatives in Congress, it requires no depth of thought to be pronounced that corruption will become the order of the day and that under the garb of conscientious critics to establish precedents for the public good, evil may arise of serious importance to the freedom and prosperity of the Republic. It is through this channel that the people may expect to be attacked in their constitutional sovereignty, and where its safety may well be apprehended.









### POET'S CORNER.

FOR THE GAZETTE.  
Mr. Bradford—If you think the following lines worthy of a place in your paper, you are at liberty to insert them.

#### HOPE.

When lost upon life's stormy sea,  
On trouble and despair;  
'Tis clouds of sorrow oft we see  
Hope's cheering beacon there.

When dangers compass us around  
Hope is a soothing friend;  
She points where joys abound  
And all our sorrows end.

When on disease's bed we lie,  
Exhausted and in pain;  
Hope whispers, that though doom'd to die,  
We'll reign above the slain.

When wretched man in deep despair,  
The billows of life endow;  
When friends forsake, and every care  
Crows crowding to the door,

When biting frost and chilling snow  
Transform fair nature's face;  
Poor, hungry, naked wretches know  
Their troubles cannot last.

For Hope points out a land of rest,  
A country free from strife;  
Where all in harmony and peace  
Enjoy eternal life.

OSCAR.

#### FOR THE GAZETTE.

##### AUTUMN.

The beauty of summer is gone,  
The landscape, its beauty has lost;  
Those sweet feather'd songsters are flown  
To regions untried by the frost.  
And now from the chimneys of the north,  
Cold winter will shortly appear;  
While breezes driving her forth  
In the snowy and ice-garnish'd car.

The wind whistles over the plain,  
The landscape, its beauty has lost;  
Those sweet feather'd songsters are flown  
To regions untried by the frost.  
And now from the chimneys of the north,  
Cold winter will shortly appear;  
While breezes driving her forth  
In the snowy and ice-garnish'd car.

So youth, spring of life, has its flowers,  
And summer matures them anon;  
But subject to clouds and to showers  
Their sweetness alas! soon is gone.  
The autumn of life brings disease—  
Then malice and envy and strife,  
O'er robes us of joy and of peace,  
In the desolate winter of life.

OSCAR.

### FOR SALE,

A valuable Tract of about 165  
Acres of

First rate land,

Lying on Canal about five miles from Lexington,  
on land, on the Iron Works Road, on which  
there is a log cabin, and 25 acres cleared; the remainder  
is in woods.

WELL TIMBERED WITH TIMBER OF  
THE FIRST QUALITY,  
And furnished with an

#### ABUNDANCE OF STOCKWATER.

One or two likely NEGRO SLAVES between the age  
of 12 and 20, will be received in payment. Apply to the  
Editor of the Gazette, October 7, 1825—49—tf

#### State of Kentucky,

Ex parte Court—September Term 1825.  
Bartholomew Hunt, Comptroller,  
vs.  
E. M. H. Pearson, Defendant.

On the motion of the Complainant—it is ordered  
that unless the defendant (who as appears  
from the satisfaction of the court, is not an inhabitant  
of this commonwealth, and has failed to enter his  
appearance herein, agreeably to law and the rules of  
the court) does appear on or before the first day  
of the next February term of this court, and answer  
the complainant's bill herein, the same will be taken  
as confessed against him—and it is further ordered,  
that a copy of this order be inserted in some authorized  
newspaper published in this commonwealth, for two  
months successively, according to law.

A Copy—Teste,  
THOS. BODLEY cfe c.

### Tavern in Shelbyville.

#### R. BRENNHAM,

IS removed from the house he recently  
occupied, to the new house on the  
corner of Main Street, where travellers  
may meet with every accommodation necessary  
for their ease and comfort. He has made exten-  
sive improvements in the house, and has built a  
new stable not inferior to any in Kentucky. He  
shows his patronage, and will give satisfaction to all  
who may call upon him.  
Shelbyville Sept. 1825—38—3t

### FOR SALE,

A lot of land in Lexington, with con-  
venient BRICK BUILDINGS in a pleasant  
part of the town, suitable for a private family, which  
can be used as a school or as a residence. For further particulars  
enquire of the Rev. Adam Rankin Lexington, or of  
the subscriber living on the road near the late resi-  
dence of Col. Wm. Russell.

Sept. 30, 1825—39—tf

SAMUEL RANKIN.

### Lexington Brewery.

THE subscribers having rented the above estab-  
lishment for a term of years, will be ready in a  
few days to supply this Town and the neighboring  
Towns with

### Porter, Beer and Ale,

of superior quality and at reduced prices; orders  
from the country directed to the BREWERY  
through the Post-office will be attended to.

CASH paid for Barley on Delivery  
—ALSO—

### Fifty cords of good wood wanted

MONTMOLIN & DONOHUE.

October 20, 1825—42—tf.

N. B. All letters must be post paid.



### OFFICIAL PRIZE LIST. Of the 8th Class,

Grand Masonic Hall Lottery.  
Drawn on THIRTY DAYS from its announcement.

THE GRAND THOUSAND  
DOLLAR PRIZE.

Came up to number 1861.

And was sent either to Shelby or Jefferson county,  
which of the two we are not yet positively cer-  
tain.

#### OTHER FORTUNATE TICKETS AS FOLLOWS.

FOLLOWS:					
7	20	433	20	731	1035
8	30	431	20	71	47
11	47	73	61	1000	
15	504	77	62	10	
28	16	10	81	76	50
33	22	20	96	80	10
57	10	25	10	105	90
89	57		18	110	10
105	59		21	10	34
7	10	71	20	60	20
32	74		41	100	68
61	20	93	10	71	160
74	610	20	62	78	
204	14		74	10	83
12	20	10	90	50	1220
36	45		93	20	72
45	57		905	82	
46	72		10	10	85
64	33	50	20	10	99
67	95		33	1317	10
72	56	10	40	73	
88	714		43	10	1400
337	22		1004	17	
47	50	21	5	25	10

Those Numbers to which no sums are affixed,  
are prizes of \$5 each.

The highest Prize having come up to No. 1,061  
which is an ODD NUMBER, all Tickets ending  
with 1, 3, 5, 7, 9, being odd numbers, are en-  
titled to TWO DOLLARS each agreeable to  
Scheme.

The money for Prizes is ready counted, and will  
be paid immediately upon presentation of the  
Prize Tickets.

#### The 9th Class is up,

And will positively be drawn upon the same plan as  
the above, within SIXTY DAYS.

#### Scheme same as 7th class.

Tickets are now TWO DOLLARS AND FIFTY  
CENTS ONLY—but will rise to Three Dollars on the  
20th Instant.

The Certificate of the Magistrate, Trustees  
and others, required by law to superintend the  
drawing of the 7th Class, is filed in the Manager's  
Office, and open at all times for the inspection of  
the public.

J. M. PIKE, Manager.

Friday, 4 o'clock, Sept. 2, 1825.

### CABINET WAREHOUSE.

THE subscribers having united in carrying on  
the Cabinet Business, under the firm of  
WILSON & HENRY,

Take this opportunity of informing the public, that  
they occupy the same stand for so many years in  
possession of Robert Wilson. His Shop has been  
rebuilt, and is well stocked with tools and workmen  
of the best kind. The firm has laid in an excel-  
lent stock of M<sup>rs</sup> DOGANY, as well as every other  
material necessary for their business, and they can  
safely say, that they are prepared to execute with  
neatness and dispatch, any order in their line.  
They will in a short time, have a large assort-  
ment of Sideboards, Bureaus, Bedsteads &c. finish-  
ed, and will be filed to see their friends call and ex-  
amine for themselves.

#### Matresses,

Made at the shortest notice, and in superior style.

ROBERT WILSON,  
JOHN HENRY.

Lexington, Sept. 1st, 1825—33tf

### LAW NOTICE.

#### JOHN M. McCALLA,

WILL practice LAW in the Circuit Courts of  
Fayette and Jessamine Counties, and in the  
County Court of Fayette. His office is kept on  
Short Street opposite Col. Owens' Iron Store, in  
the room lately occupied as a Medical Shop by Dr.  
Warfield.

Lex. Sept. 20th 1825—32—6m

### MEDICAL COLLEGE

OF SOUTH CAROLINA  
THE LECTURES of this Institution will be  
resumed on the second Monday of November  
next, as follows.

On Anatomy—By John Edwards Holbrook, M. D.

Surgery—James Ramsay, M. D.

Institutes and practice of Medicine—Samuel Henry  
Dickson, M. D.

Maternal Medicine—Henry R. Frost, M. D.

Obstetrics and diseases of women and infants—  
Thomas G. Prioleau, M. D.

Chemistry and Pharmacy—Edmund Raveol, M. D.

Natural History and Botany—Stephen Elliott,  
L. L. D.

S. HENRY DICKSON, M. D.  
Dean of the Faculty.

August 25—28 till 20th Nov.

### \$100 specie Reward!!!

RAN AWAY from the subscriber living near  
Lexington, Fayette County (Kentucky), on the  
28th day of December last, a Negro Man named

### QUILLA:

About 21 years of age; about 5 feet 8 or 9 inches  
high, slender made, of copper complexion; he has  
a grey livery coat and pantaloons, took with  
him a drag grey coat with 3 or 4 capes, with other  
clothing not recollected. I have reason to be-  
lieve the above slave is either in the state of Indi-  
ana, Illinois or Ohio, or on board some Steam  
Boat.

I will give the above reward for the said slave  
taken out of the state of Kentucky, or fifty dollars  
in like money, if taken within the state of Ken-  
tucky, on delivery of him in Lexington.  
May 23d 1825. 21—tf. Wm. E. BAIN.

The National Republican at Cincinnati, will  
use the above advertisement 4 weeks insertion  
and forward their account to this office for pay-  
ment.

### A CARD.

Abram S. & Elijah H. Drake,  
TAILORS.

WOULD inform their friends and the public  
generally, that they have associated them-  
selves together in business, and have made a perma-  
nent arrangement with one of the most fashionable  
and celebrated Shops in Philadelphia, to furnish  
them with every change of fashions, immediately on  
their arrival from London. They pledge them-  
selves, with confidence, to all who may please to fa-  
vor them with their orders, that their work shall  
be executed in the most neat and tasty style.  
They have on hand for sale a few pieces of  
CLOTH & CAMBRIE.

low for Cash, and also a few sets of SPRINGS  
for gentlemen's riding Pantaloons, &c. Their Shop  
is kept in Main Street, a few doors below Mrs.  
Keen's Inn. Ladies and Gentlemen please call and  
see us.

#### ELIJAH H. DRAKE.

Has just returned from Philadelphia and New York,  
where he has spent upwards of twelve months in the  
best shops in those cities, for the express purpose of  
obtaining a perfect knowledge of the most modern  
and improved modes of Cutting and Making all  
kinds of garments for gentlemen in his line; and  
also, Ladies' Riding Dresses and Petticoats. He  
has brought with him from Mr. Watson's Shop,  
Philadelphia, a new Suit, made in the most splen-  
did and fashionable style.

Lexington, July 22, 1825—29—6m

### MARNIX VIRDEN,

REPAIRER. I form his  
friends in Lexington, as well  
as visiting strangers, that he has  
provided himself with

### A COMPLETE HACK.

And strong gentle horses, and is now ready to accom-  
modate such as may please to favour him with their  
business. He intends driving himself, and from more  
than four years experience in driving in Lexington, he  
feels confident that his character as a safe and careful  
driver has been well established, as to insure him a  
full share of public patronage. His residence is on  
Mill's point, near the Lexington Steam Mill, where  
those who wish his services will please apply.

Lexington, July 29th, 30—tf.

### Vegetable Curative Medicine.

THE subscriber, composes  
(after the manner of DOCT.  
TOR LEROY,) the above Me-  
dicine, which during the late  
sickly season, has cured upwards of fifty persons of  
biliousness, of the Dysentery and other bilious com-  
plaints.

The superior advantages of this Medicine are  
such as not to deter any person from taking it, hav-  
ing an agreeable taste, and incapable of injuring  
the weakest constitution. It may with safety be  
given to an infant one week old, being attended  
with little, or no pain during the operation.  
The above medicine, with proper directions for  
taking it, may always be had at the shop of the  
subscriber, situated on Short Street opposite the  
Court House Lexington.

JOHN DEVERIN.

### Grease Spots!!!

DIRECTIONS for using the Water to take  
out grease spots from all Woolens Cloths,  
Silks, and Stuffs.

With a clean sponge, dipped in this cleansing  
water, rub the part soiled or greased, then rub  
the cloth between the forefinger and thumb of  
both hands; take another sponge dipped in vine-  
gar, and use it in like manner, to preserve the col-  
our; let it dry, and the spot is entirely removed.  
This Water may, at all times be had at  
JOHN DEVERIN'S Confectionary Store, Short  
street, Lexington, Ky.

September 9, 1825—36—2m

### Journeyman Blacksmiths.

I will give liberal wages to a few journeymen,  
well acquainted with the Blacksmith's business, and  
who can come well recommended.

JOHN EADS.

Lexington March 24, 1825—12—tf

### Farmers Attend!!!

I WISH to sell my Farm in Shel-  
by County, five miles south of  
Shelbyville, known by the name of  
WALNUT GROVE, containing  
165 ACRES OF  
First Rate Land;  
About 75 acres under fence, with a good spring  
and plenty of stock water, and with one additional  
line of fence about 60 or 70 acres of the wood-  
land can be enclosed.

### A Brick dwelling House,

51 by 21 feet wide; two rooms and a passage below  
and above stairs, with Cellars under the whole.

### A Brick Smoke House, Stables,

Corn Crib and a Still House, an orchard of about  
10 bearing Apples, Trees, and a young orchard of  
100 trees of choice fruit. It is part of a Military  
Survey and a General Warrant Deed will be made.  
This tract is perhaps equal to any other of its size  
in the county, and inferior to very few in the state.

BENJ. MEARON.

Sept. 13, 1825—32—6t

### J. M. PIKE

WANTS TEN SLAVES OF OLD KENTUCKY  
BANK STOCK. Please apply at his LOTTE-  
RY & EXCHANGE OFFICE.

Lex Feb. 24 1825—6—tf.

### The Old Blind Man,

Will accommodate his friends with Alms-  
nances at the following places:

At Versailles, on the first Monday in October  
and November.

At Georgetown, on the first Monday in January.

At Frankfort, from the first Monday until the 3d  
of December.

At Winchester, on the fourth Monday in De-  
cember.

At Lexington, when he is not at either of  
the above places.

JOHN CHRISTIAN.

Those Printers in the above towns who are  
friendly to the OLD BLIND MAN, will confer  
great obligation on him by giving the above two  
or three insertions in their respective papers.

### BLANKS

OF ALL KINDS, FOR SALE AT THE  
GAZETTE OFFICE.

### LI MOTTS COUGH DROPS.

Important Medicine for Coughs and Consumption.

THIS Mixture is not offered to the public as infa-  
lible, and a rival to all others, but as a posses-  
sive virtues peculiarly adapted to the present pre-  
valent disorders of the breast and lungs, leading to  
consumption. A timely use of these drops may be  
considered a certain cure in most cases of

#### Common Colds, Coughs, Influenza,

Whooping Cough, Pain in the Sides, Difficulty  
of Breathing, Want of Sleep

arising from debility; and in Spasmodic Asthma it is  
singularly efficacious. A particular attention to  
the directions accompanying a bottle is neces-  
sary.

The following certificates from respectable gen-  
tlemen, physicians and surgeons, are subjoined, to  
show that this composition is one which enlighten-  
ed men are disposed to regard as efficacious and  
worthy of public patronage.

Having examined the composition of Mr. Cros-  
by's improvement upon

#### LI MOTT'S Cough Drops.

we have no hesitation in recommending them to  
the public, as being well adapted to these cases of  
disease for which he recommends it.

Doct. Jonathan Dorr, dated Albany, Dec. 4,  
1824: James Post, of White-Creek, Feb-  
ruary, 14th, 1825: Watson Sumner and  
John Webb, M. D. of Cambridge, Feb. 20th  
1825: Solomon Dean, of Jackson, Jan. 20th  
1825

Mr. Crosby—I am pleased with this oppor-  
tunity of relating a few facts, which may serve in  
commendation of your excellent Cough Drops.  
For ten years I was afflicted with a pulmonary  
complaint; my cough was severe my appetite weak  
and my strength failing. I used many popular  
medicines, but only found temporary relief, until  
by a continued use of your valuable drops, I  
have been blessed with such perfect health as to  
render further means unnecessary.

Rev. EBFNEZER HARRIS.

Salem (N. Y.) January 12th 1825.

Prepared by A. CROSBY, sole proprietor,  
Cambridge, (N. Y.) whose signature will be af-  
fixed in his own hand writing to each bill of direc-  
tions. The particular that each bottle is encloped  
in a strong or cork label, which is struck on  
the same bill with the directions

Sold wholesale and retail, by Dr. G. DAWSON  
Pittsburg—J. C. CAMBECKER, Wheeling—P.  
M. WEDDELL, Druggist, Cleveland—O. &  
S. CROSBY, Druggists, Columbus—GOOD-  
WIN, ASHTON & Co. M. WOLF & Co. A.  
FAIRCHILD, Druggists, Cincinnati—BYERS  
and BUTLER, D. WILSON, Druggists, Lou-  
isville—and retail by J. D. THOMAS, Win-  
chester Ky and at the

### Drug Store of James Graves,

Lexington, Ky.

Each bottle contains 45 doses; Price One Dollar  
single; nine Dollars per doz.  
May 25th 1825—1 year.

### GREENVILLE SPRINGS.

The undersigned has taken the Celebrated Wat-  
tering Place called THE GREENVILLE  
SPRINGS, near Harrodsburgh, Ky. and has put  
them in complete order for the reception of Visi-  
tors.

The prices of Boarding &c. will be on moderate  
terms.

THOMAS Q. ROBERTS.

May 2, 1825—19—tf.

### Queensware & China.

#### JAMES HAMILTON,

MAIN STREET,

HAS imported direct from Liverpool a large and  
extensive assortment of Liverpool and China ware  
selected with care expressly for this market, contain-  
ing

- Blue Printed Dining Ware new and elegant patterns,
- do. do. Tea do. do.
- Plate Glass and Stools,
- do. Oval Dishes,
- do. Covered do. very handsome,
- do. Soup Tureens
- do. Sauce do.
- do. Bakers and Nappies,
- do. Mugs and Pitchers,
- do. Bowls, Basins and Ewers,
- do. Peppor, Sugar and Creams,
- do. Coffee Bowls and Saucers,
- do. Tea cups and Saucers &c. &c.
- Gold Band Tea sets, some very handsome,
- Knives, edged and G. C. ware of every descrip-  
tion which will be sold whole sale or retail, at a very  
small advance for cash.

CASH will be given for a few tons of

### HEMP.

Lexington, May 12, 1825. 19—tf.

### Law Notice.

#### JAMES O. HARRISON,

Will practice LAW in the Fayette Courts his of-  
fice is kept above the office of the Clerk of the  
County Court.

Lex July 15, 1825—28—tf

### LAW NOTICE.

JAMES SHANNON, Late of Wheeling, Va.

Will practice law in the Circuit and County Court  
of Fayette, and the Circuit Courts of Bourbon  
and Jessamine. All business entrusted to him will re-  
ceive prompt attention. His office is on Short Street.

Lex Dec. 20, 1824—23—tf

### LAW NOTICE.

Robert J. Breckinridge,  
ATTORNEY & COUNSELLER AT LAW,  
WILL ATTEND THE FAYETTE CIRCUIT AND  
COUNTY COURTS.

Lexington, April 6, 1824—15—tf.

### \$50 REWARD.

I will give the above reward in notes of the Com-  
monwealth's Bank, for the apprehension and con-  
viction of the person, who broke into my store room in  
the town of Versailles, on the night of the thirty-ninth